

MT LEGISLATIVE HISTORY

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Chapter 59 1982

Bill H (S) 76

Original bill & hist. X C

H. Committee on HWYS & Transp.

S. Committee on HWYS & Transp.

Hearing Date(s) FEB 19 ✓ C

Hearing Date(s) JAN 20 ✓ C

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Did this bill originate in an interim committee? Yes No

Committee

Report

1 Senate BILL NO. 76
2 INTRODUCED BY abrams
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT RAISING THE AMOUNTS OF
6 PROPERTY DAMAGE RESULTING FROM A MOTOR VEHICLE ACCIDENT THAT
7 TRIGGER NOTIFICATION TO AND REPORTING BY LAW ENFORCEMENT
8 OFFICERS; AND AMENDING SECTIONS 61-7-108 AND 61-7-109, MCA."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 61-7-108, MCA, is amended to read:

12 "61-7-108. Immediate notice of accidents. The driver
13 of a vehicle involved in an accident resulting in injury to
14 or death of any person or property damage to an apparent
15 extent of ~~\$100~~ \$250 or more shall immediately by the
16 quickest means of communication give notice of such accident
17 to the local police department if such accident occurs
18 within a municipality, otherwise to the office of the county
19 sheriff or the nearest office of the highway patrol."

20 Section 2. Section 61-7-109, MCA, is amended to read:

21 "61-7-109. Written reports of accidents -- additional
22 information -- form of report. (1) The operator of any motor
23 vehicle which is in any manner involved in an accident
24 within this state in which any person is killed or injured
25 or in which damage to the property of any one person in

1 excess of ~~\$250~~ \$400 is sustained shall, within 10 days after
2 such accident, report the matter in writing to the
3 department unless the accident was investigated and reported
4 by a law enforcement officer as provided in subsection (3).

5 (2) The department may require any driver of a vehicle
6 involved in an accident of which report must be made as
7 provided in this section to file supplemental reports
8 whenever the original report is insufficient and may require
9 witnesses of accidents to render reports.

10 (3) Every law enforcement officer who in the regular
11 course of duty investigates a motor vehicle accident in
12 which any person is killed or injured or in which damage to
13 the property of any person exceeds ~~\$250~~ \$400, either at the
14 time of and at the scene of the accident or thereafter by
15 interviewing participants or witnesses, shall within 10 days
16 after completing the investigation forward a written report
17 of the accident to the department.

18 (4) The form of the accident report required under
19 this section shall contain information sufficient to enable
20 the department to determine whether the requirements for the
21 deposit of security for safety responsibility are
22 inapplicable by reason of the existence of insurance or
23 other exemptions specified in this part."

24 NEW SECTION. Section 3. Extension of authority. Any
25 existing authority of the department of justice to make

LC 0631/01

- 1 rules on the subject of the provisions of this act is
- 2 extended to the provisions of this act.

-End-

MINUTES OF MEETING
HIGHWAYS & TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

January 20, 1987

The meeting of the Highways and Transportation Committee was called to order at 1:00 p.m., on January 20, 1987, by Chairman Larry Tveit, in Room 410 of the State Capitol.

ROLL CALL: All members of the Highways and Transportation Committee were present.

CONSIDERATION ON SENATE BILL NO. 75: Senator Abrams, Senate District No. 12, sponsor of the bill, testified that Senate Bill 75 is a housekeeping measure which would allow one taillamp on motorcycles, motor-driven cycles, and quadricycles. Senate Bill 75 would amend section 61-9-204, which required motor-cycles to have two taillights.

PROPOSERS: There were no proponents.

OPPOSERS: There were no opposers.

QUESTIONS FROM THE COMMITTEE: Senator Lybeck noted that the law which was passed in 1956, required motorcycles, motor driven cycles, and quadricycles be equipped with two taillights--that by passing this bill we would be alleviating these vehicles from having two taillights.

There were many questions and a lengthy discussion by the committee members as to vehicles with one or two taillights. Some members of the committee were concerned about truck tractors and trailers which already have one taillights. This bill would only be adding motorcycles, motor driven cycles, and quadricycles and is not changing truck tractors.

DISPOSITION OF SENATE BILL NO. 75: A motion was made and seconded that Senate Bill 75 DO PASS. The motion was carried unanimously.

A motion was moved and seconded that the meeting be adjourned.

CONSIDERTATION ON SENATE BILL NO. 76: Senator Abrams, Senate District No. 12, sponsor of the bill, testified that Senate Bill 76 is a housekeeping bill that updates the laws making it easier for the citizens to report traffic accidents. At the present time, the law requires accidents to be reported at \$100.00 for immediate notification to law enforcements of non-investigative accidents. The law that is on the statute now states that if an accident is investigated by a peace officer then the citizen does not have to fill out an accident

report. If a law officer does not investigate an accident, then the person involved has to file an accident report. It proposes an increase from 100 to 250 in damages for all non-investigated accidents and \$400 minimum in damages investigated accident. This increase would keep up with inflation.

Mr. Gordon Hayes, Bureau Chief of the Highway Patrol is here to answer any technical questions about reporting or statistics.

PROPONENTS: There were no proponents.

OPPONENTS: There were no opponents.

QUESTIONS FROM THE COMMITTEE: Senator Farrell questioned the raising of the \$400 on trucks, if this would be under the federal guidelines. Senator Farrell was advised that Senate Bill 76 follows all federal guidelines.

DISPOSITION OF SENATE BILL NO. 76: A motion was made by Senate Farrell and seconded by Senator Meyer that Senate Bill 76 DO PASS. The motion was carried unanimously.

A motion was made and seconded that the meeting be adjourned.

Senator Tveit
Senator Tveit, Chairman

DATE 1-20-86

COMMITTEE ON

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1-20-87

Highways & Transportation
Senate Div 75-76

NAME	PRESENT	ABSENT	EXCUSED
Chairman: Larry Tveit	✓		
Vice Chairman: Lawrence Stimatz	✓		
Senator Hubert J. Abrams	✓		
Senator William Farrell	✓		
Senator Tom Hager	✓		
Senator Sam Hofman	✓		
Senator Ray Lybeck	✓		
Senator Darryl Meyer	✓		
Senator Cecil Weeding	✓		
Senator Bob Williams	✓		

Each day attach to minutes.

Highways & Transportation Committee
February 19, 1987
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EXECUTIVE SESSION

Rep. Jones moved SB 75 DO PASS. The motion CARRIED.

SENATE BILL 76

Sen. Abrams, District #12, sponsor of SB 76, said SB 76 raises the amounts of property damage resulting from a motor vehicle accident that triggers notification to and reporting to law enforcement officers; and amending 61-7-108 and 109, MCA. (EXHIBIT #1) This bill raises from \$100 to \$250 the amount of property damage that has to be immediately reported. It also raises the damage amount from \$250 to \$400 for which a written report has to be made within 10 days of the accident to the accident department. The purpose is to serve a written report and take care of some of the problems.

PROPOSERS

COLONEL R. W. (BOB) LANDON, Chief of the Highway Patrol, supports SB 76. It doesn't change the law, it just raises the reporting limits for people involved in accidents.

OPPOSERS - None

Sen. Abrams closed.

EXECUTIVE ACTION

Rep. Helen O'Connell moved SB 76 BE CONCURRED IN. The motion CARRIED.

SENATE BILL 43

Sen. Bill Farrell, District #31, sponsor of SB 43, explained this bill is an act clarifying when a \$500 bond is required for special fuel users, and amends 15-70-304, MCA. It simply gives the fuel tax division authority to waive the \$500 bond requirement of a special fuel user, who is not subject to sections 2(a) or 2(b). The proposed amendment he handed out would reinsert language on page 1, lines 15 and 16, to allow the department to request a bond on storage fuel.

PROPOSERS

BEN HAVDAHL, Montana Motor Carriers Association, supports SB 43 as amended.

DAILY ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb. 19, 1927

[illegible]

STANDING COMMITTEE REPORT

February 19 19 87

Mr. Speaker: We, the committee on HIGHWAYS & TRANSPORTATION

report SENATE BILL 76

☐ do pass

☐ do not pass

☒ be concurred in

☐ be not concurred in

☐ as amended

☐ statement of intent attached

REP. JOHN HARP

Chairman

Third

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